

5. *Krieg v. City of New York, et al.*, 15-cv-03626-GBD-HBP, settled in 2016 in the Southern District Court, for \$115,000 and the action was dismissed with prejudice with a stipulation of settlement and order of dismissal and without admission of fault or liability.

In the cases that settled, a stipulation of settlement and order of dismissal with prejudice was filed with the respective court, indicating, in sum and substance, that nothing in the settlement shall be construed as an admission or concession of liability by any of the defendants or the City of New York regarding any of the allegations made by the plaintiffs in their complaints, or that any of the plaintiffs' rights under the Federal or New York Constitutions or Statutes had been violated.

A review of the officer's Central Personnel Index (CPI) revealed the following:

1. On June 14, 2012 Officer Kuka had a substantiated departmental investigation for failure to safeguard a prisoner's property and received a command discipline as a result.
2. On November 7, 2019 Officer Kuka has a substantiated departmental investigation for an invoice discrepancy and for an inaccurate or incomplete invoice and was given verbal instructions as a result.

The People reserve the right to move *in limine* to preclude reference to this information, or otherwise to object to its use or introduction into evidence during trial.

Should you wish to discuss this matter, please do not hesitate to call me at [REDACTED] [REDACTED] [ADA Ext.] during office hours.

Sincerely,

[REDACTED]
[REDACTED]

cc: Clerk of the Court